

CIVIL DOCKET
UNITED STATES DISTRICT COURT

~~JUDGE DANHERTY~~

Cook

Jury demand date: 12-11-74 by pltf.

D. C. Form No. 106A Rev.

TITLE OF CASE	ATTORNEYS
<p>GLENN REED, Plaintiff vs. WESTINGHOUSE ELECTRIC CORPORATION, a corporation Defendant</p>	<p>For plaintiff: H. G. Bill Diekey (587-2166) 201 Main Mall Bldg. Tulsa, Oklahoma 74103 Jack Y. Goree 2626 E. 21st Tulsa 74114(749-7771)</p> <p>For defendant: Paul McBride(587-3361) Rucker, Tabor, McBride & Hopkins, Inc. P. O. Box 1439 Tulsa, Oklahoma 74101</p>

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 9-1-74	Clerk		8-23-74	8-29-74 C/D #10	15 00	15 00
J.S. 6 mailed 9-1-75	Marshal					
Basis of Action: Gross negligence of deft. in installing equipment properly.	Docket fee					
Action arose at:	Witness fees					
	Depositions					

~~JUDGE DAUGHERTY~~
~~XXXXXXXXXXXXXX~~

COOK

FPI MI-1.3-72-100M-7199

DATE	PROCEEDINGS	Date Order or Judgment Noted
8-23-74	1. Petition for Removal from District Court of Tulsa County to District Court of the United States for Northern District of Oklahoma, filed. lm	
8-23-74	2. Answer of Defendant, filed. lm	
8-23-74	3. Notice of Filing of Petition and Bond for Removal by Single Defendant, filed. lm	
8-23-74	4. Ack. of clk. of District Court in and for Tulsa County, Okla. of receipt of copy of Notice, Petition, and Bond for Removal, filed. lm	
8-26-74	5. Bond on Removal, filed. Westinghouse Electric Corp. is Principal, Okla. Surety Co. is Surety, both bound unto Glenn Reed obligee, in penal sum of \$500.00. v	
8-27-74	6. MOTION for More Definite Statement, filed.jj	
8-27-74	7. BRIEF in Support of Mtn. to Make More Definite and Certain, filed.jj	
8-29-74	8. Ltr., filed, from FD to pltf. directing them to respond to def. mo/more definite statement by 9/7/74, w/brief.(FD-J)rm	
9-13-74	9. ORDER, filed, that Pltf.file an Amended Complaint setting out inf. desired by the Mtn. for More Definite Statement on or before September 24, 1974. If Order not complied with, Pltfs' action will be dismissed. (FD-J)jj copies mailed	
9-26-74	MO: Order of the Court entered herein on 9-13-74 is extended as to execution thereunder until 10-1-74 at request of parties. (FD-J)g <i>mailed</i>	
10-1-74	10. Entry of appearance of Jack Y. Goree as atty of record for pltf., filed. rm	
10-1-74	11. Appl. for ext. of time to amend complt. of pltf., filed. rm	
10-4-74	12. Order, filed granting pltf. until 10-16-74 to file amended compl. (FD-J)k cps mld	
10-9-74	13. Appl. for permission to w/draw as aty. for pltf, filed by H. G. Dickey.k	
10-11-74	14. Order, filed, granting atty Dickey's req. to withdraw as counsel for pltf. (FD-J)rm - copies mailed	
10-16-74	15. Amended Complaint, filed. lm	
12-10-74	Deposition of Linda Sue Reed, on behalf of deft., filed.(\$75.)g	
12-10-74	Deposition of Glenn Edwin Reed, on behalf of deft.,filed.(\$165.)g	
12-11-74	16. DEMAND for JURY trial, filed. lm	
12-12-74	17. Answer to Amended Complaint, filed by Deft. Westinghouse. v	
1-6-75	Depositions of Henry Kilian and Robert P. Todd taken by pltf., filed. (\$105.00)g	
1-8-75	MO:Ordered by the Ct. that this case is transferred to Judge Cook(FD-J)rm	

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-28-75	MO: Case set for pre-trial hearing 4-1-75 at 2:00 p.m. (HDC-J)hm	
4-1-75	MO: Pre-trial hearing held. Statements made. Parties to exchange Dr. bills, hospital records & documents. Parties to file trial briefs and requested instructions 10 days prior to trial. Pltf. to prepare PT order within 15 days, and case to be set for jury trial. (EST-1½ days)(HDC-J)hm	
4-28-75	18. Pretrial order, filed. (HDC-J)hm	
6-12-75	MO: Case set for jury trial 8-11-75 at 10:00 a.m. (HDC-J)hm	
7-11-75	Deposition of Dr. W. R. Reid, taken by deft., filed. (\$81.25)g	
8-4-75	19. Motion of deft. for continuance of trial, filed. g	
8-4-75	20. Response of pltf. to motion for continuance, filed. g	
8-5-75	21. Order denying deft's motion for continuance, filed. (HDC-J)mm cps mld	
8-6-75	22. Appl. for Cont. and for Hearing on Appl. for Cont., filed.jj O to J	
8-6-75	MO: Ordered by the Ct. that appl. of def. for cont. of trial and for hearing is referred to Magistrate M. L. Bradford for hearing and determination.(HDC-J)rm	
8-7-75	23. Response to Application for Continuance and for Hearing on Application for Continuance of the plaintiff, filed. mm	
8-7-75	MO: Hearing held before Magistrate M. L. Bradford on deft. appl. for cont. of jury trial. Pltf. rep. by Dale McDaniel & Jack Goree; def. rep. by Paul McBride. After argument, def. application for cont. will be recommended that it be denied. Pltf. to prepare formal order by 4 p.m., 8/7/75. (MLB-Mag.)rm	
8-7-75	24. Memorandum from M. L. Bradford to HDC, re hearing on appl.,filed.rm	
8-7-75	25. Order, filed, that def. appl. for continuance is denied.(HDC-J)rm-copies	
8-8-75	Deposition of Sherry Lane on behalf of the Defendant, taken before Sid J. Bumgardner, CSR W/fees of \$80.40 pd by the deft., filed. mm	
8-8-75	26. Request for hearing before Judge Cook, filed. lm	
8-11-75	MO: Case called for jury trial. Conference held. in chambers on deft's request for hearing re continuance. Applic. denied. Parties return to courtroom. Jury empaneled, admonished and case continued until 9:30 a.m. 8-13-75. (HDC-J)hm	
8-12-75	MO: Case continued from 8/13/75 at 9:30 a.m. to 8/13/75 at 1:30 p.m.(HDC-J)rm	
8-13-75	Deposition of <u>George H. Patterson</u> , on behalf of the defendant, taken before Kathy Dore, LSR, on 8-6-75 at 2626 East 21st St., Tulsa, Okla., filed. mm	
8-13-75	MO: Case contd. from 8/13/75 at 1:30 p.m. to 8/14/75 at 1:30 p.m. for jury trial.(HDC-J)rm-parties notified by phone	
8-15-75	Jury trial held 8/14 and 8/15/75. Jury previously empaneled on 8/11/75. Parties present & rep. Rule invoked; opening statements made by both parties. Parties present case in chief, w/testimony of witnesses and rest. Trial exhibits admitted. Closing arguments and Ct. instructs jury. Bailiff sworn & jury retires to deliberate at	(contd)

DATE	PROCEEDINGS	Date Order or Judgment Noted
	(continuation of jury trial) 5:30 p.m., 8/15/75. During deliberation, parties announce settlement. Jury returned to courtroom at request of court, advised of settlement and are discharged at 6:15 p.m., 8/15/75. Parties directed to submit final papers within 5 days. (HDC-J)(Tom Bloxom-CR)rm	
8-15-75	Trial exhibits, filed. rm	
8-15-75	Note from Jury, filed. rm	
8-15-75	Instructions to Jury, filed.	
8-15-75	Requested voir dire questions of pltf., filed. rm	
8-15-75	Plaintiff's list of witnesses, filed. rm	
8-29-75	Plaintiff's Application for Order of Dismissal, filed. mm (O to J)	
8-29-75	Order of dismissal, filed and entered, dismissing cause of action with prejudice. (HDC-J)hm (copies mailed)	